

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2011-050344

01/31/2012

HONORABLE ALFRED M. FENZEL

CLERK OF THE COURT
W. Tenoever
Deputy

LARRY BONNO, et al.

HOPE N KIRSCH

v.

CANDEO SCHOOLS INC, et al.

KEVIN M ESTEVEZ

RULING

Courtroom 102 - NE

9:00 a.m. This is the time set for Oral Argument on Plaintiffs' Motion for Summary Judgment, Defendants' Motion for Summary Judgment, Defendants' Motion for Leave to File Sur-Reply and Plaintiffs' Motion to Strike Defendants' Sur-Reply, Defendants' Motion to Amend Answer and Plaintiffs' Motion to Compel Statement of Stacy Bodenstedt or in the Alternative Request for an In Camera Review by the Court. Plaintiffs Larry Bonno and Ruth Bonno are represented by counsel, Lori Kirsch-Goodwin, who appears for Hope N. Kirsch. Defendants Candeo Schools, Inc. and Candeo Peoria are represented by counsel, Kevin M. Estevez.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

Arguments are heard.

IT IS ORDERED taking Plaintiffs' Motion for Summary Judgment, Defendants' Motion for Summary Judgment, Defendants' Motion for Leave to File Sur-Reply and Plaintiffs' Motion to Strike Defendants' Sur-Reply, Defendants' Motion to Amend Answer and Plaintiffs' Motion

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to Compel Statement of Stacy Bodenstedt or in the Alternative Request for an In Camera Review by the Court under advisement.

9:37 a.m. Hearing concludes.

LATER:

This matter having been taken under advisement and the Court having considered the matters presented,

IT IS ORDERED denying Plaintiffs' Motion for Summary Judgment.

IT IS FURTHER ORDERED denying Defendants' Motion for Summary Judgment.

IT IS FURTHER ORDERED granting Defendants' Motion for Leave to File Sur-Reply.

IT IS FURTHER ORDERED denying Plaintiffs' Motion to Strike Defendants' Sur-Reply.

IT IS FURTHER ORDERED denying Plaintiffs' Motion to Compel Statement of Stacy Bodenstedt or in the Alternative Request for an In Camera Review by the Court however the Court will conduct an in camera review of Stacy Bodenstedt's statement. Defendant will supply the Court with Ms. Bodenstedt's statement within ten days of this order.

IT IS FURTHER ORDERED granting Defendants' Motion to Amend Answer.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.